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September 4, 2001

The Honorable Spencer Abraham
Secretary of Energy
U.S. Department of Energy
1000 Independence Ave. SW
Washington, D.C. 20585
Fax 202-586-4403

**RE: Lack Of Proper, Reasonable Notice And Opportunity For Hearing On The DOE's Site
Recommendation Of Yucca Mountain**

Dear Secretary Abraham:

Massachusetts Citizens for Safe Energy is a statewide organization representing over 2,000 Massachusetts citizens. We strongly object to the lack of proper, reasonable notice and opportunity for hearing on the DOE's site recommendation of Yucca Mountain for a national high-level nuclear waste repository.

On August 21, 2001, your agency announced it was holding public hearings on the site recommendation of Yucca Mountain in Nevada between September 5th and 13th. This is less than 30 days for any interested person to read DOE's more than 370 page long and very technical report, "Yucca Mountain Preliminary Site Suitability Evaluation." Clearly this is inadequate public notice.

DOE has provided no opportunity to comment on the suitability of the recommendation for persons who will be affected by the requisite transportation of high-level nuclear waste through their hometowns via rail and road. Public hearings, with adequate prior notice, should be held in locations throughout the country, specifically in populated areas along current proposed transportation routes. A few meetings in Nevada does not come close to providing an opportunity for public hearing on a project of this magnitude and immense potential danger to those on transportation routes throughout the country.

A change of location occurred and an incorrect address provided.

DOE provided the final notice of the meeting giving the wrong address on August 31st. This notice happened to coincide with the beginning of Labor Day weekend assuring that most people received notification after the holiday, practically speaking providing one day effective notice.

The notices DOE published in the Federal Register on August 21, 27 and 31 were not clear as to the significance of the hearings. Persons reading the notice are given the impression that these are merely hearings on the preliminary site suitability evaluation not that these are public hearings on your agency's decision to recommend Yucca Mountain as the site for a national high-level nuclear waste repository.

The net result is that your provision of less than thirty days notice from the availability of the 370 page evaluation and the few hearings in Nevada make it impossible for ordinary citizens to have any meaningful participation in such meetings. Why? Again, the notice was absurdly short to make arrangements to attend, too far away, too little time to acquire and assimilate the substance of the 370-plus page evaluation of the site, and completely defective due to the errors mentioned above - wrong

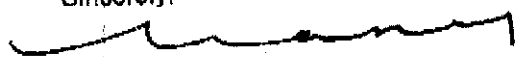
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site address.

There is no doubt that, no matter what provisions may be in the Nuclear Waste Policy Act, the United States Constitution's Fifth Amendment protections require that persons here in Massachusetts, around the country and obviously Nevada must have at least reasonable notice and an opportunity to be heard on a decision such as this one, a decision with vast repercussions and grave potential dangers. Your agency's actions in this regard have not come even close to meeting the most minimal constitutional protections of citizens' rights to due process in this instance. We are certain you have violated our rights and those of the citizens of Nevada.

We call on you to reschedule these hearings with adequate notice, to provide meaningful opportunity to be heard by all persons who will be affected by your agency's recommendation of Yucca Mountain as the national high-level waste repository. This requires hearings at a number of appropriate sites around the country.

Sincerely,



Mary Lampert
Massachusetts Citizens for Safe Energy, Director

cc: Lake Barrett, Acting Director
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Senator Edward M. Kennedy

Senator John F. Kerry

Congressman William Delahunt

Congressman Edward Markey